		The state of the s				
		Case 15-01193-abl Doc 43 E	ntered 05/03/16 10:00:41 Page 1	of 22		
	1 2 3 4 5 6 7 8	LARSON & ZIRZOW, LLC ZACHARIAH LARSON, ESQ. Nevada Bar No. 7787 E-mail: zlarson@lzlawnv.com MATTHEW C. ZIRZOW, ESQ. Nevada Bar No. 7222 E-mail: mzirzow@lzlawnv.com 850 E. Bonneville Ave. Las Vegas, Nevada 89101 Telephone: (702) 382-1170 Fascimile: (702) 382-1169 Attorneys for Defendant				
	10	UNITED STATES BANKRUPTCY COURT FOR THE DISTRICT OF NEVADA				
	11	In re:	Case No.: BK-S-15-1495	6-abl		
169	12		Chapter 11			
,C 382-1	13	MARC JOHN RANDAZZA,				
W, LLC Ave. 89101 (702) 382-1169	14	Debtor.				
ARSON & ZIRZOW, LLC 850 E. Bonneville Ave. Las Vegas, Nevada 89101 2) 382-1170 Fax: (702) 38	15 16 17	EXCELSIOR MEDIA CORP., a Nev corporation; and LIBERTY MEDIA HOLDINGS, LLC, a Nevada limited	·			
LARSON 850 E. Las Veg 02) 382-11	18	company,	SUPPLEMENTAL REG	QUEST FOR		
LARSOI 850 E Las Ve Tel: (702) 382-1	19	Plaintiffs,	JUDICIAL NOTICE IN REPLY TO OPPOSITI			
Ĥ	20	v.	TO DISMISS, OR IN T	HE		
	21	MARC JOHN RANDAZZA, an indi	idual, ALTERNATIVE, FOR SUMMARY JUDGME			
	22	Defendant.				
	23		Date: May 9, 2016			
	24		Time: 1:30 p.m.			
	25	Defendant, Marc John Randazza, as debtor and debtor in possession (the " <u>Defendant</u>				
	26		aw firm of Larson & Zirzow, LLC,	,		
	27					
	28	of the Federal Rules of Evidence of	the following in support of his Rep	ply to Opposition to		

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Motion to Dismiss, or in the Alternative, for Partial Summary Judgment (the "Motion") [ECF No. 41].¹

- 1. On December 9, 2012, Marc J. Randazza, P.A. ("MJR"), as plaintiff filed an action against Excelsior Media Corporation and Liberty Media Holdings, LLC ("Liberty"), as defendants, in the Eighth Judicial District Court, Clark County, Nevada (the "Nevada State Court"), being Case No. A-12-673275 (the "State Court Case"). A true and correct copy of the docket printout of the State Court Case from the Nevada State Court's online Wiznet system, as of the filing of this Request, is attached hereto as **Exhibit 1**.
- 2. On April 4, 2015, a Stipulation and Order (the "First Stipulation") as approved by the parties was entered by the Nevada State Court in the State Court Case, whereby all funds on deposit in MJR's trust account on account of Excelsior Media Corporation or Liberty were interpled into the Nevada State Court and placed in trust pending the outcomes of that certain arbitration proceeding styled as Randazza v. Excelsior Media Corp., et al., JAMS No. 1260002283 (the "Arbitration") and the State Court Case. The First Stipulation further provided that upon decisions of the arbitrator in the Arbitration and the Nevada State Court in the State Court Case, the parties would immediately stipulate to the release of the interpled funds in accordance with such decisions. A true and correct copy of the First Stipulation as approved and entered by the Nevada State Court and as filed in the State Court Case is attached hereto as Exhibit 2.
- As of April 17, 2015, and pursuant to and consistent with the First Stipulation, 3. MJR caused to be deposited into the registry of the Nevada State Court the sum of \$276,883.35. A true and correct copy of the Receipt as entered by the Clerk in the State Court Case evidencing the deposit and interpleader of monies pursuant to the First Stipulation is attached hereto as **Exhibit 3**.
- One June 3, 2015, the arbitrator in the Arbitration entered an Interim Arbitration 4. Award (the "IAA").

¹ Unless otherwise indicated, all capitalized terms herein shall have the same meaning as set forth in the Reply.

Case 15-01193-abl Doc 43 Entered 05/03/16 10:00:41 Page 3 of 22

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Tel: (702) 382-1170 Fax: (702) 382-1169

810 S. Casino Center Blvd. #101

LARSON & ZIRZOW, LLC

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Exhibit 4
entered by the Nevada State Court and as filed in the State Court Case is attached hereto as
asserting against Liberty. A true and correct copy of the Second Stipulation as approved and
over to Liberty, provided that RLG was not waiving any affirmative claims for relief it was
(the "Second Stipulation"), whereby that Court directed that the funds interpled were to be paid
State Court approved a Stipulation and Order re Lifting of Stay and Release of Interpled Funds
pursuant to and consistent with the First Stipulation, the parties entered into and the Nevada
5. On June 18, 2015, as a result of the entry of the IAA in the Arbitration, and

Dated: May <u>2</u>, 2016.

LARSON & ZIRZOW

ARSON, ESQ.

Nevada Bar No. 7787 MATTHEW C. ZIRZOW, ESQ. Nevada Bar No. 7222

850 E. Bonneville Ave. Las Vegas, Nevada 89101

Attorneys for Defendant

EXHIBIT "1"

Skip to Main Content Logout My Account Search Menu New District Civil/Criminal Search Refine Search Back

Location: District Court Civil/Criminal Help

REGISTER OF ACTIONS

CASE NO. A-12-673275-C

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§

Marc J Randazza PA, Plaintiff(s) vs. Liberty Media Holdings LLC,

Defendant(s)

Case Type: Breach of Contract

Subtype: Other Contracts/Acc/Judgment

Date Filed: 12/09/2012 Location: Department 8

Cross-Reference Case Number: A673275

§ § §

PARTY INFORMATION

Counter

Liberty Media Holdings LLC Doing Business

Claimant

As Fisher, Corbin

Lead Attorneys Mitchell J. Langberg Retained 702-382-2101(W)

Counter Defendant Randazza Legal Group

Katherine Turpen

Retained

702-832-5909(W)

Defendant

Liberty Media Holdings LLC Doing Business

As Fisher, Corbin

Mitchell J. Langberg

Retained 702-382-2101(W)

Plaintiff

Marc J Randazza PA Doing Business

As Randazza Legal Group

James M. DeVoy Retained

888-667-1113(W)

EVENTS & ORDERS OF THE COURT

DISPOSITIONS

03/01/2013 Order of Dismissal Without Prejudice (Judicial Officer: Smith, Douglas E.)

Debtors: Jason Gibson (Defendant) Creditors: Marc J Randazza PA (Plaintiff) Judgment: 03/01/2013, Docketed: 03/08/2013

OTHER EVENTS AND HEARINGS

12/09/2012 Case Opened

12/09/2012 Complaint

Plaintiff's Original Complaint for Fraud, Breach of Contract and Unjust Enrichment

01/03/2013 Notice of Appearance

Notice of Appearance

01/03/2013 Initial Appearance Fee Disclosure

Initial Appearance Fee Disclosure

01/04/2013

Motion to Extend

Motion to Extend Time to Answer Complaint on Order Shortening Time

01/07/2013 Opposition to Motion

Opposition to Motion for Extension of Time

01/07/2013

Notice of Association of Counsel

Notice of Association of Counsel 01/08/2013 Motion (8:00 AM) (Judicial Officer Smith, Douglas E.)

Defendants' Motion to Extend Time to Answer Complaint on Order Shortening Time

Parties Present

Minutes

Result: Off Calendar

01/08/2013 Receipt of Copy

Receipt of Copy of Motion to Extend Time to Answer Complaint on Order Shortening Time

01/11/2013 Stipulation and Order

Stipulation and Order to Extend Time to Respond to Plaintiff's Original Complaint for Fraud, Breach of Contract and Unjust Enrichment (First Request)

01/14/2013 Notice of Entry of Stipulation and Order

Notice Of Entry Of Stipulation And Order To Extend Time To Respond To Plaintiff's Original Complaint For Fraud, Breach Of Contract And Unjust Enrichment (First Request)

01/22/2013 Motion to Dismiss

Defendants Liberty Media Holdings, LLC, and Jason Gibson's Motion To Dismiss

01/23/2013	Notice of Hearing Notice Of Hearing On Defendants Liberty Media Holdings, Llc And Jason Gibson's Motion To Dismiss
02/08/2013	Opposition to Motion Opposition to Defendants' Motion to Dismiss
02/19/2013	Reply in Support Reply In Support Of Defendants Liberty Media Holdings, LLC, And Jason Gibson's Motion To Dismiss
02/26/2013	Motion to Dismiss (8:00 AM) (Judicial Officer Smith, Douglas E.) Defendants Liberty Media Holdings, LLC, and Jason Gibson's Motion To Dismiss
	Minutes Result: Matter Continued
03/01/2013	Stipulation and Order Joint Stipulation and Order on Motion to Dismiss and Vacating Hearing
03/04/2013	Notice of Entry of Order Notice of Entry of Stipulation and Order
03/11/2013	First Amended Complaint
03/28/2013	First Amended Complaint - Breach of Contract - Unjust Enrichment - Account Stated Jury Trial Demanded Answer and Counterclaim Potandart Liberty Media Heldings LLC's Answer to Blaintiff's First Amended Counterclaim
05/03/2013	Defendant Liberty Media Holdings LLC's Answer to Plaintiff's First Amended Complaint and Counterclaim Stipulation and Order
05/03/2013	Stipulation and Order Regarding Withdrawal of Counsel Stipulation and Order
	Stipulation and Order Enlarging Time to Respond to Counterclaim Answer to Counterclaim
06/13/2013	Plaintiff/Counter-Defendant RLG's Answer to Defendant/Counter-Claimant Liberty's Counterclaim Commissioners Decision on Request for Exemption - Granted
07/15/2013	Commissioner s Decision on Request for Exemption - Granted Demand for Jury Trial
	Demand for Jury Trial Joint Case Conference Report
	Joint Case Conference Report
07/24/2013	Arbitration File Arbitration File
07/30/2013	Notice to Appear for Discovery Conference Notice to Appear for Discovery Conference
08/20/2013	Discovery Conference (9:30 AM) (Judicial Officer Bulla, Bonnie) Parties Present
	Minutes
	Result: Scheduling Order Will Issue
09/11/2013	Scheduling Order Scheduling Order
09/23/2013	Order Setting Civil Jury Trial Order Setting Civil Jury Trial
11/22/2013	Stipulated Protective Order Stipulated Confidentiality Agreement and Protective Order
11/26/2013	Notice of Entry
02/19/2014	Notice of Entry of Stipulated Confidentiality Agreement and Protective Order Stipulation and Order to Extend Discovery Deadlines
02/20/2014	Stipulation and Order to Extend Discovery Deadlines (First Request) Notice of Entry of Stipulation and Order
04/10/2014	Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (First Request) Motion to Compel
0 // (0.20) /	Motion to Compel Responses to Request for Production of Documents, and to Compel Compliance with ESI Protocol, on Order Shortening Time
04/11/2014	Pursuant to EDCR 2.25 and 2.26 Receipt of Copy
	Receipt of Copy of Motion to Compel Responses to Request for Production of Documents, and to Compel Compliance with ESI Protocol, on Order Shortening Time Pursuant to EDCR 2.25 and 2.26
04/11/2014	Receipt of Copy Receipt of Copy of Motion to Compel Responses to Request for Production of Documents, and to Compel Compliance with ESI Protocol, on
04/21/2014	Order Shortening Time Pursuant to EDCR 2.25 and 2.26 Motion to Compel (1:30 PM) (Judicial Officer Beecroft, Chris A., Jr.)
04/21/2014	Motion to Compel Responses to Request for Production of Documents, and to Compel Compliance with ESI Protocol, on Order Shortening Time
	Pursuant to EDCR 2.25 and 2.26 Parties Present
	<u>Minutes</u>
04/22/2014	Result: Vacate Stipulation and Order to Extend Discovery Deadlines
	Stipulation and Order to Extend Discovery Deadlines (Second Request) Notice of Entry of Stipulation and Order
	Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (Second Request)
	Amended Order Setting Jury Trial Amended Order Setting Civil Jury Trial
	Notice of Firm Name Change Notice of Firm Name and Address Change
09/02/2014	CANCELED Calendar Call (8:00 AM) (Judicial Officer Smith, Douglas E.) Vacated - per Commissioner

09/08/2014 | CANCELED Jury Trial (9:30 AM) (Judicial Officer Smith, Douglas E.)

Vacated - per Commissioner

11/07/2014 Motion to Amend

Motion for Leave to File First Amended Counterclaim

11/18/2014 Motion

Plaintiff/Counterdefendant Marc J. Randazza, P.A., D/B/A Randazza Legal Group's Motion to Join Brownstein Hyatt Farber Schreck, LLP and Mitchell J. Langberg, Esq., Laura E. Bielinski, Esq., and Scott Schoenwald, Esq. as Necessary Party Counter-Defendants, or in the Alternative Motion for Leave to File Third-Party Counterclaim

11/18/2014 Stipulation and Order to Extend Discovery Deadlines

Stipulation and Order to Extend Discovery Deadlines (Third Request)

11/21/2014 Notice of Entry of Stipulation and Order

Notice of Entry of Stipulation and Order to Extend Discovery Deadlines (Third Request)

12/08/2014 Opposition

Opposition to Motion to Join Brownstein Hyatt Farber Schreck, LLP, Mitchell J. Langberg, Esq., Laura E. Bielinski, Esq. and Scott Schoenwald, Esq. as Necessary Party Counter-Defendants, and Opposition to Motion in the Alternative for Leave to File Third Party Counterclaim

12/09/2014 Motion to Disqualify Attorney

Plaintiff/CounterDefendant Marc J. Randazza, P.A., D/B/A Randazza Legal Group's Motion to Disqualify the Law Firm of Brownstein Hyatt Farber Schreck, LLP as Defendant/CounterClaimant, Liberty Media Holdings, LLC's Counsel of Record

12/09/2014 Notice

Plaintiff/CounterDefendant's (1) Notice of Removal of Request to Add Mitchell J. Langberg, Esq., Individually, Laura E. Bielinski, Esq., Individually, and Scott Schoenwald, Esq., Individually as Necessary Party Counter-Defendants and (2) Notice of Filing Amended Exhibit N to Marc J. Randazza, P.A., d/b/a Randazza Legal Group's Motion to Join Brownstein Hyatt Farber Schreck, LLP as Necessary Party Counter-Defendants, or in the Alternative, Motion for Leave to File Third-Party Counterclaim

12/16/2014 Notice

Notice of Calendar Add, Change or Case Closed for Dept. VIII

12/17/2014 Notice

Declaration of Maximilien D. Fetaz, Esq. Re Notice of No Opposition Received to Liberty's Motion for Leave to File First Amended Counterclaim

12/18/2014 Opposition to Motion

Plaintiff/Counterdefendant Marc J. Randazza, P.A., D/B/A Randazza Legal Group's Opposition to Liberty Media Holdings, LLC's Motion for Leave to Amend Counterclaim or, In the Alternative, Motion to Stay Ruling on Liberty Media Holding's Motion for Leave to Amend

12/26/2014 Opposition to Motion

Opposition to Motion to Disqualify the Law Firm of Brownstein Hyatt Farber Schreck, LLP as Defendant/Counterclaimant, Liberty Media Holdings, LLC's Counsel of Record

12/29/2014 Reply in Support

Reply in Support of Motion for Leave to File First Amended Counterclaim, and Opposition to Motion to Stay Ruling on Liberty's Motion for Leave to Amend

12/29/2014 Reply to Opposition

Plaintiff/Counterdefendant Marc J. Randazza, P.A., d/b/a Randazza Legal Group's Reply to Liberty Media Holdings, LLC's Opposition to Motion to Join Brownstein Hyatt Farber Schreck as Necessary Party Counter-Defendants and Reply to Opposition to Motion for Leave to File Third-Party Counterclaim

12/31/2014 Reply to Opposition

Plaintiff/Counterdefendant Marc J. Randazza, P.A., d/b/a Randazza Legal Group's Reply to Opposition to Motion to Disqualify the Law Firm of Brownstein Hyatt Farber Schreck, LLP as Defendant/Counterclaimant, Liberty Media Holdings, LLC's Counsel OF Record

01/06/2015 Motion for Leave (8:00 AM) (Judicial Officer Smith, Douglas E.)

Defendant/Counterclaimant Liberty Media Holdings, LLC's Motion for Leave to File First Amended Counterclaim

12/08/2014 Reset by Court to 01/06/2015

Result: Matter Continued

01/06/2015 Motion (8:00 AM) (Judicial Officer Smith, Douglas E.)

Plaintiff/Counterdefendant Marc J. Randazza, P.A., D/B/A Randazza Legal Group's Motion to Join Brownstein Hyatt Farber Schreck, LLP and Mitchell J. Langberg, Esq., Laura E. Bielinski, Esq., and Scott Schoenwald, Esq. as Necessary Party Counter-Defendants, or in the Alternative Motion for Leave to File Third-Party Counterclaim

12/29/2014 Reset by Court to 01/06/2015

01/06/2015 Motion to Disqualify Attorney (8:00 AM) (Judicial Officer Smith, Douglas E.)

Plaintiff/CounterDefendant Marc J. Randazza, P.A., D/B/A Randazza Legal Group's Motion to Disqualify the Law Firm of Brownstein Hyatt Farber Schreck, LLP as Defendant/CounterClaimant, Liberty Media Holdings, LLC's Counsel of Record

01/12/2015 Reset by Court to 01/06/2015

01/06/2015 All Pending Motions (8:00 AM) (Judicial Officer Smith, Douglas E.)

Parties Present

Minutes

Result: Matter Heard

02/17/2015 Stipulation and Order

Stipulation and Order Regarding Mediation of March 12, 2015 and Continuation of Status Check

02/18/2015 Notice of Entry of Stipulation and Order

Notice of Entry of Stipulation and Order Regarding Mediation of March 12, 2015 and Continuation of Status Check

03/12/2015 Settlement Conference (10:01 AM) (Judicial Officer Allf, Nancy)

Minutes

Result: Not Settled

04/08/2015 Stipulation and Order

Stipulation and Order

04/08/2015 Notice of Entry of Stipulation and Order

Notice of Entry of Stipulation and Order

06/18/2015 Stipulation

Stipulation and Order re Lifting of Stay and Release of Interpled Funds

66/19/2015 Notice of Entry of Stipulation and Order Notice of Entry of Stipulation and Order Re Lifting of Stay and Release of Interpled Funds 6/23/2015 Calendar Call (6.00 AM) (Judicial Officer Smith, Douglas E.) Result. Matter Heard 6/23/2015 Status Check (6.00 AM) (Judicial Officer Smith, Douglas E.) STATUS CHECK: MEDIATION / RESET 1/6 MOTIONS 03/17/2015 Continued to 05/26/2015 - At the Request of Counsel - Liberty Media Holdings LLC; Marc J Randazza PA; Randazza Legal Group 05/26/2015 Reset by Court to 06/23/2015 8/23/2015 Reset by Court to 06/23/2015 All Pending Motions (8:00 AM) (Judicial Officer Smith, Douglas E.) Parties Present Minutes Result: Matter Heard 6/29/2015 6/2		
66/23/2015 62/23/23/23/23/23/23/23/23/23/23/23/23/23	06/19/2015	
Result: Matter Heard 06/23/2015 Status Check (8:00 AM) (Judicial Officer Smith, Douglas E.) STATUS CHECK: MEDIATION / RESET 1/6 MOTIONS 03/17/2015 Reset by Count to 03/17/2015 03/17/2015 Continued to 05/28/2015 - At the Request of Counsel - Liberty Media Holdings LLC; Marc J Randazza PA; Randazza Legal Group 05/28/2015 Reset by Count to 06/23/2015 Result: Matter Heard 06/23/2015 All Pending Motions (8:00 AM) (Judicial Officer Smith, Douglas E.) Parties Present Minutes Result: Matter Heard 06/29/2015 ANCELED Jury Trial (9:30 AM) (Judicial Officer Smith, Douglas E.) Vacated 07/23/2015 Notice of Entry of Stipulation and Order Sipulation and Order to Vacate Current Trial Date and to Reset Trial 08/13/2015 Order Setting Civil Jury Trial, Pre-Trial, and Calendar Call Amended Order Setting Civil Jury Trial 09/08/2015 03/17/2016 03/17/2016 03/17/2016 03/18/2016 03/18/2016 03/18/2016 03/18/2016 03/18/2016 03/18/2016 03/18/2016 04/18/2016 0	06/22/2016	
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		FINANCIAL INF	ORMATION	
	Counter Claimant Liberty Total Financial Assessmen Total Payments and Credit Balance Due as of 05/03/	t s		223.00 223.00 0.00
01/03/2013 01/03/2013		Receipt # 2013-00938-CCCLK	Liberty Media Holdings LLC	223.00 (223.00)
	Defendant Gibson, Jason Total Financial Assessmen Total Payments and Credit Balance Due as of 05/03/	s		30.00 30.00 0.00
01/03/2013 01/03/2013		Receipt # 2013-00939-CCCLK	Gibson, Jasson	30.00 (30.00)
	Plaintiff Marc J Randazza Total Financial Assessmen Total Payments and Credit Balance Due as of 05/03/	t s		270.00 270.00 0.00
12/10/2012 12/10/2012	Transaction Assessment Wiznet	Receipt # 2012-150832-CCCLK	Marc J Randazza PA	270.00 (270.00)

EXHIBIT "2"

EXHIBIT "2"

1	SAO JOHN H, COTTON, ESQ.	
2	Nevada Bar No.: 5268 E-mail: JHCotton@JHCottonlaw.com	
3	KATHERINE L. TURPEN, ESQ. Nevada Bar No.: 8911	Electronically Filed
4	E-mail: KTurpen@JHCottonlaw.com JOHN H. COTTON & ASSOCIATES	04/08/2015 09:52:39 AM
5	4900 West Sahara Avenue, Suite 200 Las Vegas, Nevada 89117	Alm to Chrim
6	Telephone: 702/832-5909 Facsimile: 702/832-5910	CLERK OF THE COURT
7	Attorneys for Counterclaim Defendant	
8		
9	DISTRICT	•
10	CLARK COUN	
11 12	MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP,	Case No.: A-12-673275-C Dept. No.: VIII
13	Plaintiff,	
14	v.	
15 16	LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher	STIPULATION AND ORDER
17	Defendant.	
18	·	
19	LIBERTY MEDIA HOLDINGS, LLC, a California limited-liabilty company doing	
20	business as Corbin Fisher,	
21	. Counterclaimant,	
22	VS.	
23	MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP,	
24	Counterdefendant,	
25	Codinordorondini,	
26	•••	
27		
28	•••	·

STIPULATION

Plaintiff and Counterclaim Defendant Marc J. Randazza P.A., d/b/a RANDAZZA LEGAL GROUP ("RLG"), and Defendant and Counterclaimant Liberty Media Holdings, LLC ("LMH"), both collectively constituting the "Parties," by and through their respective attorneys of record, hereby stipulate and agree as follows:

- 1. All proceedings in the above captioned matter shall be stayed, including rulings on all pending motions, pending the outcome of the arbitration previously held in Nevada in the matter of <u>Randazza v. Excelsior Media Corporation</u>, et al. (the "Arbitration").
- 2. The funds on deposit in Plaintiff's trust account, on account of Excelsior Media Corporation or LMH, will be interplead in the District Court for Clark County, to be place in trust until further order by the Court.
- 3. Upon the determination by the Arbitrator in the Arbitration, the parties shall immediately stipulate to the release to Marc Randazza such Funds as are necessary to satisfy any net award in favor of Randazza in the Arbitration.
- 4. To the extent that Randazza does not receive a net award in the Arbitration or the net Award is less than the total amount of the Funds, the parties shall further stipulate that the remaining Funds, less \$81,000, plus interest, shall be immediately released to Liberty Media Holdings.
- 5. The \$81,000, plus interest, (the "Remaining Funds") shall remain in trust pending a determination of the issues raised in Plaintiff's Complaint.

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1	6. Upon a determination of the issues raised in Plaintiff's Complaint (or at such		
2	other time that this action is dismissed, settled or otherwise resolved), the Parties shall		
3	immediately stipulate to the release to Plaintiff of such Remaining Funds as is necessary		
4	satisfy any net award in favor of Plaintiff, with the remaining balance being released to LMH.		
5			
6	DATED this 24 day of March 2015. DATED this day of March 2015.		
7	COUNSEL FOR PLAINTIFF COUNSEL FOR LMH		
8	RANDAZZA LEGAL GROUP BROWNSTEIN HYATT FARBER SCHRECK, LLP		
96			
10	Ronald D. Green, Esq. Mitchel J. Langberg, Esq.		
11	6525 W. Warm Springs Road, Ste. 100 Laura A. Bielinski, Esq. Las Vegas, NV 89118 Laura A. Bielinski, Esq. 160 North City Parkway, Suite 1600		
12	DATED this day of March 2015. Las Vegas, NV 89106		
13	COUNSEL FUR COUNTER-DEFENDANT		
14	JOHN H. COUTON & ASSOCIATES		
15	Inhart Cotton Francis		
	John H. Cotton, Esq. Katherine L. Turpen, Esq.		
16	7900 West Sahara Avenue, Suite 200		
17	Las Vegas, Nevada 89117		
18			
19	ORDER		
20	TT IC HEREBY OF DEDEN ATMITISCHED AND DECORDED A		
21	IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that		
22	1. All proceedings in the above captioned matter shall be stayed, including rulings		
23	on all pending motions, pending the outcome of the arbitration previously held in Nevada in the		
24	matter of Randazza v. Excelsior Media Corporation, et al. (the "Arbitration").		
25	2. The funds on deposit in Plaintiff's trust account, on account of Excelsior Media		
	Corporation or LMH, will be interplead in the District Court for Clark County, to be place in		
26	trust until further order by the Court,		
27 📗			

- 3 -

1	6. Upon a determination of the issues raised in Plaintiff's Complaint (or at such
2	other time that this action is dismissed, settled or otherwise resolved), the Parties shall
3	immediately stipulate to the release to Plaintiff of such Remaining Funds as is necessary to
4	satisfy any net award in favor of Plaintiff, with the remaining balance being released to LMH.
5	
6	DATED this day of March 2015. DATED this day of March 2015.
7 8	COUNSEL FOR PLAINTIFF RANDAZZA LEGAL GROUP COUNSEL FOR LMH BROWNSTEIN HYATT FARBER SCHRECK, LLP #12737
9	my for
10	Ronald D. Green, Esq. Mitchell J. Languerg, Esq.
11	6525 W. Warm Springs Road, Stc. 100 Laura A. Bielinski, Bsg. Las Vegas, NV 89118 100 North City Parkway, Suite 1600
12	Las Vegas, NV 89106 DATED this day of March 2015.
13 14	COUNSEL FOR COUNTER-DEFENDANT JOHN H. COTTON & ASSOCIATES
15	John H. Cotton, Esq.
16	Katherine L. Turpen, Esq. 7900 West Sahara Avenue, Suite 200
17	Las Vegas, Nevada 89117
18	
19	ORDER
20	IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that
21	1. All proceedings in the above captioned matter shall be stayed, including rulings
22	on all pending motions, pending the outcome of the arbitration previously held in Nevada in the
23	matter of Randazza v. Excelsior Media Corporation, et al. (the "Arbitration"),
24	2. The funds on deposit in Plaintiff's trust account, on account of Excelsior Media
25	Corporation or LMH, will be interplead in the District Court for Clark County, to be place in
26	trust until further order by the Court.
7	and the first of the own.

- 3. Upon the determination by the Arbitrator in the Arbitration, the parties shall immediately stipulate to the release to Marc Randazza such Funds as are necessary to satisfy any net award in favor of Randazza in the Arbitration.
- 4. To the extent that Randazza does not receive a not award in the Arbitration or the net Award is less than the total amount of the Funds, the parties shall further stipulate that the remaining Funds, less \$81,000, plus interest, shall be immediately released to Liberty Media Holdings.
- 5. The \$81,000, plus interest, (the "Remaining Funds") shall remain in trust pending a determination of the issues raised in Plaintiff's Complaint.
- 6. Upon a determination of the issues raised in Plaintiff's Complaint (or at such other time that this action is dismissed, settled or otherwise resolved), the Parties shall immediately stipulate to the release to Plaintiff of such Remaining Funds as is necessary to satisfy any net award in favor of Plaintiff, with the remaining balance being released to LMH.

DOUGLAS E, SMITH

Prepared and Submitted by:

JOHN H. COPPON & ASSOCIATES

TOPKI H COT

JOHN H. COTTON, ESQ. Nevada Bar No. 005268

KATHERINE L. TURPEN, ESQ.

Wevada Bar No. 008911

7900 West Sahara Avenue, Suite 200

Las Vegas, Nevada 89117

Attorneys for Counterclaim Defendant

EXHIBIT "3"

EXHIBIT "3"

Case 15-01193-abl Doc 43 Entered 05/03/16 10:00:41 Page 16 of 22

REPRINTED RECEIPT

District Court Clerk of the Court 200 Lewis Ave, 3rd Floor Las Vegas, NV 89101

Payor

Nevada Law Foundation Trust Accounts/Randazza Legal Grounds/Randazza Legal Grounds/Randazza

Receipt No.

2015-40284-CCCLK

Transaction Date 04/17/2015

Description

Amount Paid

On Behalf Of Marc J Randazza PA

A-12-673275-C

Marc J Randazza PA, Plaintiff(s) vs. Liberty Media Holdings LLC, Defendant(s)

Interplead Funds

Interplead Funds SUBTOTAL

276,883.35

276,883.35

PAYMENT TOTAL

276,883.35

Check (Ref #1006) Tendered

Total Tendered

276,883.35 276,883.35

Change

0.00

Per Stipulation and Order filed 4/8/15

04/17/2015

Cashier

Audit

09:38 AM

Station AIKO

35057198

REPRINTED RECEIPT

A-12-673275-C

TRCT Trust Receipt

EXHIBIT "4"

EXHIBIT "4"

Electronically Filed 06/18/2015 01:37:01 PM

Nevada Bar No. 10118 LAURA E. BIELINSKI, ESQ. Nevada Bar No. 10516 MAXIMILIEN D. FETAZ, ESQ. Nevada Bar No. 10516 MAXIMILIEN D. FETAZ, ESQ. Nevada Bar No. 10737 BROWNSTEIN HYATT FARBER SCHRECK, LLP 100 North City Parkway, Suite 1600 Las Vegas, Nevada 89106 mlangberg@blnfs.com mfetaz@blnfs.com mfetaz@blnfs.com Telephone: (702) 382-2101 Facsimile: (702) 382-8135 Attorneys for Defendant/Counterclaimant Liberty Media Holdings, LLC DISTRICT COURT CLARK COUNTY, NEVADA MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher Defendant. LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher, Counterclaimant, vs. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.	1	SAO MITCHELL J. LANGBERG, ESQ.	Alm & Lann
Nevada Bar No. 10516 MAXIMILIEN D. FETAZ, ESQ. Nevada Bar No. 12737 BROWNSTEIN HYATT FARBER SCHRECK, LLP 100 North City Parkway, Suite 1600 Las Vegas, Nevada 89106 migher@bhfs.com mfetaz@bhfs.com Telephone: (702) 382-2101 Facsimile: (702) 382-8135 Attorneys for Defendant/Counterclaimant Liberty Media Holdings, LLC DISTRICT COURT CLARK COUNTY, NEVADA MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Plaintiff, U. LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher Defendant. LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher, Counterclaimant, Vs. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.	2	Nevada Bar No. 10118	CLERK OF THE COURT
4 Nevada Bar No. 12737 BROWNSTEIN HYATT FARBER SCHRECK, LLP 100 North City Parkway, Suite 1600 Las Vegas, Nevada 89106 mlangberg@bhfs.com libelinski@bhfs.com Telephone: (702) 382-2101 Facsimile: (702) 382-8135 Attorneys for Defendant/Counterclaimant Liberty Media Holdings, LLC DISTRICT COURT CLARK COUNTY, NEVADA MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Plaintiff, V. LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher Defendant. VS. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterclaimant, VS. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.	7		
BROWNSTEIN HYATT FARBER SCHRECK, LLP 100 North City Parkway, Suite 1600 Las Vegas, Nevada 89106 mlangberg@bhfs.com bleilnski@bhfs.com Telephone: (702) 382-2101 Facsimile: (702) 382-8135 4ttorneys for Defendant/Counterclaimant Liberty Media Holdings, LLC DISTRICT COURT CLARK COUNTY, NEVADA MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Plaintiff, V. LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher Defendant. Vs. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterclaimant, Vs. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.		MAXIMILIEN D. FETAZ, ESQ.	
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Plaintiff, Plaintiff, V. LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher Defendant. LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher, Counterclaimant, Vs. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.	13		Case No.: A-12-673275-C
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California limited-liability company doing business as Corbin Fisher Defendant. LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher, Counterclaimant, vs. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.	17	LIBERTY MEDIA HOLDINGS FLC a	
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LIBERTY MEDIA HOLDINGS, LLC, a California limited-liability company doing business as Corbin Fisher, Counterclaimant, vs. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.		Detendant.	
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Counterclaimant, vs. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.	21	California limited-liability company doing	
23 24 25 25 26 27 Counterdefendant. Vs. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.	22		
VS. MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.	23	Counterclaimant,	
MARC J. RANDAZZA, P.A., a Florida professional association doing business as RANDAZZA LEGAL GROUP, Counterdefendant.		vs.	
26 RANDAZZA LEGAL GROUP, 27 Counterdefendant.		MARC J. RANDAZZA, P.A., a Florida	
Counterdefendant.	25	professional association doing business as	
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28	27	Counterdefendant.	
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STIPULATION

Plaintiff/Counterdefendant Marc J. Randazza P.A., d/b/a Randazza Legal Group ("RLG"), by and through its attorneys of record, the law firm of Randazza Legal Group and John H. Cotton & Associates, and Defendant/Counterclaimant Liberty Media Holdings, LLC ("Liberty"), by and through its attorneys of record, the law firm of Brownstein Hyatt Farber Schreck, LLP, hereby enter this Stipulation based upon the following facts:

- RLG and Liberty entered into a stipulation in March 2015, and the Court entered 1. the stipulation as an order on April 8, 2015 (the "Stipulation and Order");
- 2. Pursuant to the Stipulation and Order, on April 17, 2015, RLG deposited with the Court \$276,883.35 of funds from RLG's trust account (the "Interpled Funds") (Receipt No. 2015-40284-CCCLK);
- 3. The Interpled Funds were to remain on deposit with the Court until such time that a certain arbitration award was issued, at which time the parties were to stipulate to the release of the Interpled Funds;
- Further, pursuant to the Stipulation and Order, the above-entitled case was to be 4. stayed pending the issuance of the arbitration award;
 - 5. The arbitration award was issued on June 3, 2015;
- 6. Among other things, the arbitration award directs that the Interpled Funds be paid over to Defendant.
- 7. Through this stipulation, RLG is not waiving the affirmative claims for relief that it has asserted against Liberty

	WHEREFORE, it is stipulated by and be	etween the parties through their respective counsel
2	of record that:	
3	a) The stay in this matter should be	lifted; and
4	b) All of the Interpled Funds shall	I be immediately released to Liberty or Liberty's
3	counsel.	
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8	DATED this 2 day of June, 2015.	DATED this 1 day of June, 2015.
9	BROWNSTEIN HYATT FARBER SCHRECK LLP	RANDAZZA LEGAL GROUP
10	0.102	
H	By:	By: 4 2 2 2 1
12	MITCHELL J. ANOBERG, ESQ. Nevada Bar No. 10418	RONALD D. GREEN ESO. Nevada Bar No. 7360
13	LAURA E. BIELINSRI, ESQ. Nevada Bar No. 10516	6525 W. Warm Springs Road, Ste. 100 Las Vegas, NV 89118
14	MAXIMILIEN D. FETAZ, ESQ Nevada Bar No. 12737	Attorney for Plaintiff/Counterdefendant
15	100 North City Parkway, Suite 1600 Las Vegas, NV 89106-4614	Marc J. Randazza P.A., d/b/a Randazza Legal Group
16	Attorneys for Defendant/Counterclaimant	
17	Liberty Media Holdings, LLC	
18	DATED this day of June, 2015.	
19.	JOHN H. COTTON & ASSOCIATES	
20		
21	By: JOHN H. COTTON, ESQ.	
22	Nevada Bar No. 5268 KATHERINE L. TURPEN, ESQ.	
23	Nevada Bar No. 8911 7900 West Sahara Avenue, Suite 200	
.24	Las Vegas, Nevada 89117	
25	Attorney for Plaintiff/Counterdefendant Mare J. Randazza P.A., d/b/a Randazza Legal	
26	Group	v.
27		
28		

WHEREFORE, it is stipulated by and between the parties through their respective counsel 1 2 of record that: The stay in this matter should be lifted; and 3 a) All of the Interpled Funds shall be immediately released to Liberty or Liberty's b) 4 5 counsel. 6. 7 DATED this day of June, 2015. DATED this day of June, 2015. 8 9 BROWNSTEIN HYATT FARBER RANDAZZA LEGAL GROUP SCHRECK LLP 10 11 By: By: RONALD D. GREEN, ESO. MITCHELL J. LANGBERG, ESQ. 12 Nevada Bar No. 7360 Nevada Bar No. 10118 LAURA E. BIELINSKI, ESQ. 6525 W. Warm Springs Road, Ste. 100 13 Nevada Bar No. 10516 Las Vegas, NV 89118 MAXIMILIEN D. FETAZ, ESQ 14 Nevada Bar No. 12737 Attorney for Plaintiff/Counterdefendant 100 North City Parkway, Suite 1600 Marc J. Randazza P.A., d/b/a Randazza 15 Las Vegas, NV 89106-4614 Legal Group 16 Attorneys for Defendant/Counterclaimant Liberty Media Holdings, LLC 17 18 DATED this day of June, 2015. 19 IOHN H. COTTON ASSOCIATES 20 21 By: JOHN M. COTTON, ESQ. 22 Nevada Bar No. 5268 KATHERINE L. TURPEN, ESQ. 23 Nevada Bar No. 8911 7900 West Sahara Avenue, Suite 200 24 Las Vegas, Nevada 89117 25 Attorney for Plaintiff/Counterdefendant Marc J. Randazza P.A., d/b/a Randazza Legal 26 Group 27 28

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ORDER.

Having considered the foregoing and finding good cause appearing.

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that the foregoing Stipulation and Order Re Lifting of Stay and Release of Interpled Funds is GRANTED.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the stay in this matter is LIFTED.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Court Clerk release \$276,883,35, which funds were interpled with the Court on April 17, 2015 (Receipt No. 2015-40284-CCCLK), to Liberty or Liberty's counsel.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Plaintiffs shall cooperate and take any and all such actions necessary to effectuate the release of the funds referenced above.

Dated this Laday of June, 2015.

Í COURT JUDGE DISTRIC

Prepared and submitted by:

BROWNSTEIN HYATT FARBER SCHRECK, LLP

By:

MITCHELL J. DANGBERG, ESO.

Nevada Bar No. 10118

LAURA E. BIELINŠKI, ESQ

Nevada Bar No. 10516

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Attorneys for Defendant/Counterclaimant Liberty Media Haldings, LLC